

REMARKS

Reconsideration of the application in light of the amendments and following remarks is respectfully requested.

Status of the Claims

Claims 1-7 are rejected.

Claims 1, 2, and 4-7 have been amended. No new matter has been added by way of the amendment.

Claim 8 has been added. No new matter is added.

Claims 1-8 are pending.

Objections to the Claims

Claims 1, 4 and 5 are objected to for informalities. Claims 1, 4 and 5 have been amended in accordance with the Examiner's suggestions.

Rejections Under 35 U.S.C. § 112

Claims 1-7 are rejected under 35 U.S.C. § 112 as being indefinite. The Examiner states that the recitation of "an outer side" in claims 1 and 7 is unclear, because they do not recite what the outer side is from. Claims 2-6 are rejected as indefinite based on their dependence from claim 1. Claims 1 and 7 have been amended to recite that the flexible member is provided on "an outer side of the shaft joint." Applicants respectfully request reconsideration and withdrawal of the rejection.

Rejections Under 35 U.S.C. § 102

Claims 1-5 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,155,739 to Sekine. The Examiner states that Sekine discloses all of the features of the claimed invention. The Examiner states that "the limitation requiring the flexible member to be engaged with the positioning recess is considered to be met by Sekine et al. in so far as Sekine's flexible member 405 is capable of being engaged with the positioning recess A2." The Examiner states that

Sekine discloses the flexible member engaging the recess in Figs. 20 and 24. Applicants respectfully traverse the rejection.

Amended claim 1 recites “a flexible member which is provided on an outer side of the shaft joint and projects in the depth direction of the engagement groove and engages the positioning recess such that it regulates movement of the shaft body in a longitudinal direction.” Sekine does not disclose this feature, and thus, does not anticipate the claim. Sekine discloses a clip 405 (regarded by the Examiner as the flexible member) having a number of trapezoid pieces which are adjacent bolt bores and a yoke 101. Sekine does not disclose a clip engaging the positioning recess such that it regulates movement of the shaft body in a longitudinal direction. The trapezoid pieces 405f and 405j of Sekine’s clip which are nearest the recess are disposed on the open side of the yoke above the recess. Thus, the trapezoid pieces would need to be extended downward in order to engage the recess, which would require more material and additional costs. Further, Sekine does not disclose that the trapezoid pieces or any other part of the clip engages the recess such that it regulates the movement of the shaft body in the longitudinal direction. Thus, Sekine does not anticipate claim 1. Claims 2-5 depend from claim 1 and are patentable for at least the same reasons as claim 1. Applicants respectfully request that the rejection be withdrawn.

Claims 1-6 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,474,898 to Aota et al. (“Aota”). The Examiner contends that Aota discloses all the elements of the claim. The Examiner states that “the limitation requiring the flexible member to be engaged with the positioning recess is considered to be met by Aota et al. in so far as Aota’s flexible member 30 is capable of being engaged with the positioning recess 47.” Applicants respectfully traverse the rejection.

Amended claim 1 recites “a flexible member which is provided on an outer side of the shaft joint and projects in the depth direction of the engagement groove and engages the positioning recess such that it regulates movement of the shaft body in a longitudinal direction.” Aota does not teach every element of the claim, and therefore does not anticipate claim 1. The radial recess 47 disclosed by Aota is engaged by the bolt 17 to prevent axial shifts between the shaft 5 and the yoke 3. U-bent peripheral wall 30 of the presser plate 6 (which the Examiner regards as the flexible

member) does not engage the recess but instead includes end portions “opposed to the upper taper surfaces 12,13 of the shaft” (Aota, column 3, lines 23-24). Were the end portions of Aota’s presser plate 6 to engage the radial recess 47, the radial recess 47 would have to be widened to allow room for the presser plate. However, widening recess 47 would allow bolt 17 to experience axial shifting, which would not be limited by the peripheral wall 30 of the presser plate 6 because this part is flexible. Thus, there would be no motivation to widen recess 47 and allow the peripheral wall 30 of the presser plate 6 to engage the recess 47. Therefore, Aota does not teach or suggest the features of claim 1, which recites “a flexible member which is provided on an outer side of the shaft joint and projects in the depth direction of the engagement groove and engages the positioning recess such that it regulates movement of the shaft body in a longitudinal direction.” Claims 2-6 depend from claim 1 and are patentable for at least the same reasons as claim 1. Applicants respectfully request that the rejection be withdrawn.

Claim 7 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,628,578 to McClanahan et al. (“McClanahan”). The Examiner states that McClanahan discloses all of the features of the claimed invention. Applicants respectfully traverse the rejection.

Amended claim 7 recites “a flexible member provided on an outer side of the shaft joint and extending in a longitudinal direction of the engagement groove and engaging with the positioning recess in a longitudinal direction of the shaft body.” This feature is neither disclosed nor suggested by McClanahan. Therefore, McClanahan does not disclose each and every feature of the claimed invention. Thus McClanahan does not anticipate claim 7. Applicants respectfully request reconsideration and withdrawal of the rejection.

New claim 8 recites “a flexible member which is provided on an outer side of the shaft joint, projects in the depth direction of the engagement groove and contacts the positioning recess.” None of the cited references show these features. Thus, claim 8 is patentable in view of the cited references.

CONCLUSION

Each and every point raised in the Office Action, dated December 13, 2005, has been addressed on the basis of the above amendments and remarks. In view of the foregoing it is believed that pending claims 1-8, as amended, are in condition for allowance and it is respectfully requested that the pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: April 13, 2006

Respectfully submitted,

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